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February 11, 2002

Micheline Gravelle B.Sc., M.Sc. (Immunol.) 416 957 1682 mgravelle@bereskinparr.com

Your Reference: 09/645,593 Our Reference: 9369-151

By Facsimile

The Commissioner of Patents & Trademarks
Washington, D.C. 20231
U.S.A.

Dear Sir:

Re:

RESPONSE TO OFFICE ACTION

United States Patent Application No. 09/645,593

Entitled:

Flax Seed Specific Promoters

Inventors:

Sarita Chaudhary, Gijs van Rooijen, Maurice Moloney

and Surinder Singh

Filing Date:

August 25, 2000

Examiner:

David H. Kruse

Art Unit:

1638

The present letter is filed in response to the office action of January 11, 2002.

Applicant provisionally elects Group IV, the claims readable thereon as being claims 1-23, which are drawn to a method of expression of a nucleic acid sequence comprising a seed-specific promoter obtained from flax wherein said flax seed-specific promoter comprises the nucleic acid sequence as shown in SEQ ID NO:8, transgenic flax plants and seed prepared by said method, a nucleic acid having the sequence of SEQ ID NO:8, a chimeric nucleic acid comprising said nucleic acid, a method for the expression of a nucleic acid sequence of interest in a plant seed comprising said chimeric nucleic acid and plants transformed therewith. This is without prejudice to Applicant filing divisional applications to the Groups I, II and III inventions.

In view of the foregoing, an office action or notice of allowance is respectfully requested. Should the Examiner deem it beneficial to discuss the application in greater detail, he is kindly requested to contact the undersigned by telephone at (416) 364-7311 at his convenience.

Respectfully submitted,

Sarita Chaudhary et al.

<u>__Res_No., √7, 36 6</u> Micheline Gravelle Registration No. 40,261

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TO: U.S. Patent & Trademark Office ATT'N: David H. Kruse - Examiner, Art Unit No. 1638 FAX NO.: 703-746-5068 <u>TEL. NO.: 703-306-4539</u> RE: Serial No. 09/645,593 filed August 25, 2000 Our File No.: 9369-151 FROM: <u>Micheline Gravelle, Registration No. 40,261</u> PAGES: DATE: August 9, 2002 (Including cover sheet)

If transmission is interrupted or of poor quality, please notify us immediately by calling (416) 364-7311 and asking for Jenny Lo at extension 6277.

Dear Examiner Kruse:

Please find attached a copy of a response that was faxed to the U.S. Patent Office on February 11, 2002, a copy of our facsimile transmission confirmation and an Auto-Reply Facsimile Transmission received from the U.S. Patent Office.

Please do not hesitate to contact us should you have any questions.

Regards.

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ATTN: David H. Krusa - Examiner, Art Unit No. 1838

Anita Nador, Registration No. 47,366

FAX NO.: 703-872-9306 TEL. NO.: 703-306-4539

ŘĚ Sonat No. 09/845,593 Filed - August 25, 2000 Our File No.: 9389-151

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TO: U.S. Patent & Trademark Office

ATT'N: David H. Kruse - Examiner, Art Unit No. 1638

FAX NO.: 703-872-9306 TEL. NO.: 703-306-4539

RE: Serial No. 09/645,593 Filed - August 25, 2000 Our File No.: 9369-151

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